

Winston & Strawn LLP
101 California Street
San Francisco, CA 94111-5894

Alexander F. Wiles (SBN 73596)
Brian Hennigan (SBN 86955)
Stephanie Kaufman (SBN 162644)
Trevor V. Stockinger (SBN 226359)
IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067-4276
Telephone: 310-277-1010
Facsimile: 310-203-7199

Attorneys for Plaintiff
SMITHKLINE BEECHAM CORPORATION d/b/a/
GLAXOSMITHKLINE

Nicole M. Norris (SBN 222785)
James F. Hurst (*Admitted Pro Hac Vice*)
David J. Doyle (*Admitted Pro Hac Vice*)
Charles B. Klein (*Pro Hac Vice Pending*)
Samuel S. Park (*Admitted Pro Hac Vice*)
WINSTON & STRAWN LLP
101 California Street
San Francisco, CA 94111-5894
Telephone: 415-591-1000
Facsimile: 415-591-1400

Attorney for Defendant
ABBOTT LABORATORIES

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

SmithKline Beecham Corporation d/b/a/
GlaxoSmithKline,

Plaintiff,

v.

Abbott Laboratories,

Defendant.

Case No. C07-5702 (CW)

Related per November 19, 2007 Order to
Case No. C-04-1511 (CW)

JOINT STIPULATION TO FILE EXHIBIT
A TO ABBOTT'S MOTION TO DISMISS
UNDER SEAL

Date: March 6, 2008
Time: 2:00 p.m.
Courtroom: 2 (4th Floor)
Judge: Hon. Claudia Wilken

WHEREAS on January 22, 2008, Charles B. Klein, counsel for Defendant ABBOTT LABORATORIES ("Abbott") in the above captioned case, telephoned Alexander F. Wiles, counsel for SMITHKLINE BEECHAM CORPORATION d/b/a/ GLAXOSMITHKLINE ("GSK") regarding Abbott's upcoming Motion to Dismiss GSK's Claims Pursuant to Fed. R. Civ. P. 12(b)(6) ("Motion to Dismiss");

WHEREAS during that telephone call Mr. Klein informed Mr. Wiles that Abbott intended to attach Abbott's copy of the Non-Exclusive License Agreement dated December 13, 2002 between Abbott and GSK concerning Abbott's patented AIDS drug Norvir® ("License Agreement") to Abbott's Motion to Dismiss;

WHEREAS Mr. Klein informed Mr. Wiles that Abbott believes the License Agreement is Highly Confidential and thus warrants being filed under seal; and

WHEREAS Mr. Wiles concurred that the License Agreement should be filed under seal and agreed to enter into this Joint Stipulation so saying;

WHEREAS this Joint Stipulation does not alter the date of any event or deadline already fixed by Court order;

IT IS HEREBY STIPULATED AND AGREED by and between the attorneys for Abbott and GSK, that the License Agreement attached as Exhibit A to the Declaration of Nicole M. Norris in support of Abbott's Motion to Dismiss should be filed under seal. Nothing herein shall change or otherwise affect any dates currently set per the Court's scheduling order with regard to initial disclosures, the Rule 26(f) conference or other matters.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: January 24, 2008

By: /s/ Alexander F. Wiles

Alexander F. Wiles
IRELL & MANELLA LLP
Counsel for Plaintiff

Dated: January 24, 2008

By: /s/ Nicole M. Norris

Nicole M. Norris
WINSTON & STRAWN LLP
Counsel for Defendant

GENERAL ORDER 45 ATTESTATION

I, Nicole M. Norris, am the ECF User whose ID and password was used to file this Joint Stipulation to Allow Exhibit A filed in support of Abbott's Motion to Dismiss, under seal. In compliance with General Order 45, X.B., I hereby attest that Alexander F. Wiles, counsel for GSK, concurred in this filing.

Dated: January 24, 2008

By: /s/ Nicole M. Norris
Nicole M. Norris
WINSTON & STRAWN LLP
Counsel for Defendant

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